

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

**MOTION FOR VOLUNTARY DISMISSAL
OF COMPLAINT WITHOUT PREJUDICE PURSUANT TO RULE 41(a)**

AND NOW comes the United States of America, by its attorneys, David J. Hickton, United States Attorney for the Western District of Pennsylvania, and Paul E. Skirtich, Assistant United States Attorney for the Western District of Pennsylvania, and respectfully requests this Court to voluntarily dismiss the Plaintiff's Complaint in the above Civil Action without prejudice pursuant to Rule 41(a) and avers as follows:

1. On October 8, 2010, Plaintiff's filed a Civil Complaint docketed at 10-1322.
2. Service was attempted on several occasions without success. The 120 days to serve Defendant expired on February 7, 2011.
3. The United States lacks any information as to the current whereabouts of Ms. Adams and at this time, cannot expend any more funds in attempting to locate her for purposes of service.

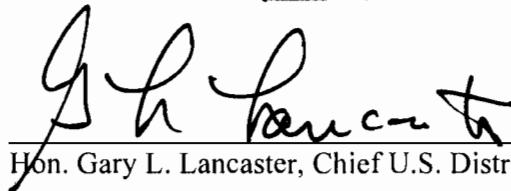
WHEREFORE, for the foregoing reasons, the United States of America, respectfully requests that the Court voluntarily dismiss Plaintiff's Civil Complaint, 10-1322 without prejudice pursuant to Rule 41(a).

Respectfully Submitted,

DAVID J. HICKTON
United States Attorney

/s PAUL E. SKIRTICH
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SO ORDERED, this 16th day of February, 2011.


_____, C.J.
Hon. Gary L. Lancaster, Chief U.S. District Judge